

PARLIAMENTARY DEBATES

HOUSE OF COMMONS
OFFICIAL REPORT

European Committee B

EU ASYLUM REFORM PACKAGE

Monday 19 December 2016

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The Committee consisted of the following Members:

Chair: MR NIGEL EVANS

† Abbott, Ms Diane (*Hackney North and Stoke Newington*) (Lab)
† Dakin, Nic (*Scunthorpe*) (Lab)
† Djanogly, Mr Jonathan (*Huntingdon*) (Con)
† Ghani, Nusrat (*Wealden*) (Con)
† Goodwill, Mr Robert (*Minister for Immigration*)
† Green, Kate (*Stretford and Urmston*) (Lab)
† Huddleston, Nigel (*Mid Worcestershire*) (Con)
† Newlands, Gavin (*Paisley and Renfrewshire North*) (SNP)

† Oswald, Kirsten (*East Renfrewshire*) (SNP)
† Pursglove, Tom (*Corby*) (Con)
† Rees-Mogg, Mr Jacob (*North East Somerset*) (Con)
† Wheeler, Heather (*South Derbyshire*) (Con)
Winnick, Mr David (*Walsall North*) (Lab)

Anna Dickson, *Committee Clerk*

† **attended the Committee**

European Committee B

Monday 19 December 2016

[MR NIGEL EVANS *in the Chair*]

EU Asylum Reform Package

4.30 pm

The Chair: Merry Christmas everyone.

Before we begin, I will not so briefly outline the procedure. First, a member of the European Scrutiny Committee may make a five-minute statement about the decision to refer the documents. The Minister may then make a statement of no more than 10 minutes, and questions to the Minister will follow. Once questions have ended, the Minister moves the motion on the paper. Debate takes place on the motion, and we must conclude our proceedings by 7 pm.

Before calling a member of the European Scrutiny Committee to introduce the debate on the Government's opt-in decisions on the European Union asylum reform package, I must inform the Committee that, contrary to the usual and expected order of proceedings, the motion before us this afternoon was put to the House and agreed last Tuesday, in advance of its debate in Committee. I am confident that the Minister will listen carefully to what is said today and that, if there are strong feelings, the House will have an opportunity to reconsider its resolution on the matter in the light of today's proceedings. The Government will take steps to facilitate that.

Members of the Committee may also like to note that the documents referred to in the motion will remain under scrutiny by the European Scrutiny Committee after the debate has taken place and until cleared by the Committee.

Mr Jacob Rees-Mogg (North East Somerset) (Con): On a point of order, Mr Evans. This is an extraordinary state of affairs. There is no point to the Committee. Its point is to debate the issues and to refer them to the House. The House has already decided, and as this Committee is merely the servant of the House, it has nothing to debate. We should not be here, but be going off for our Christmas holidays.

The Chair: As attracted as I am to the latter suggestion, I am sure that the Minister will clarify the Government's intentions as to the purpose of the Committee sitting. As I said in my lengthy preamble, in the light of today's proceedings, should the Minister wish to reconsider the resolution passed last week—

Mr Rees-Mogg: Further to that point of order, Mr Evans. This is not a matter for the Government to say kindly how they will listen to the House; this is a matter of the House's Standing Orders, which the Government are obliged to follow. It is not for the Government to play ducks and drakes with the proceedings of the House of Commons.

The Chair: I appreciate that point, Mr Rees-Mogg. As I said, this was totally exceptional, and I am sure that the Minister will explain during his short 10-minute speech why the proceedings were as they were last week. That was exceptional, but I take on board fully what you have said. Merry Christmas, Mr Rees-Mogg.

Ms Diane Abbott (Hackney North and Stoke Newington) (Lab): Further to that point of order, Mr Evans. The Opposition are not entirely clear why we have to debate something that the House has already passed. I take the proceedings of the House very seriously, and always have done, and therefore do not believe that we should make a mockery of them.

The Chair: The Minister will take that on board. There is unanimity between Diane Abbott and Jacob Rees-Mogg—it must be Christmas! As they say, "I believe." We will move on.

Does a member of the European Scrutiny Committee wish to make an explanatory statement?

4.34 pm

Kate Green (Stretford and Urmston) (Lab): It is a pleasure to serve under your chairmanship, Mr Evans. The documents we are debating—although perhaps fruitlessly—are at the heart of the European Union's response to the migration and refugee crisis.

The European Commission believes that the EU's existing asylum rulebook, the common European asylum system, has been weakened as a result of unilateral action by member states to protect their borders, restrict access to their territories and make it more difficult to obtain protection. It says there is too much fragmentation, with too little trust in member states' asylum systems, which has created pull factors, drawing individuals to member states with higher asylum recognition rates and better reception conditions. The Commission's reform package purports to reduce the scope for differential treatment, depending on where an application for international protection is made; to deter asylum shopping and secondary movements between member states; and to establish effective burden sharing and solidarity mechanisms.

Today's debate concerns three asylum reform proposals, published by the Commission in July, which would change current EU asylum laws determining who qualifies for international protection, the procedures applicable to asylum claims and how asylum seekers are to be treated while their claims are being examined. It also concerns a new EU resettlement framework, which is intended to provide safe and legal pathways to the EU for individuals in need of international protection, and to cut off at source the people-smuggling networks that exploit the vulnerability of migrants and refugees.

All the proposals are subject to the UK's justice and home affairs opt-in, meaning that they will apply to the UK only if the Government decide to opt in. The Government have the option to wait and see how negotiations progress and seek to opt in at the end of the process, once the proposals have been formally adopted, but if the Government want to vote on the outcome, they have to opt in during the initial three-month opt-in period.

The European Scrutiny Committee recommended in September that the Government's opt-in decisions on each of the proposals should be debated on the Floor of the House, so that the House as a whole had the opportunity to influence and inform the Government's decision. Those opt-in decisions are important. How the EU adapts its existing framework of asylum laws to respond to the crisis has far-reaching legal, political and humanitarian consequences. In 2016 alone, more than 4,700 individuals lost their lives crossing the Mediterranean to Europe.

However, as a result of the Government's delaying tactics, we are being asked today to endorse retrospectively their unilateral decision not to opt into the Commission's asylum reform proposals. Parliament has had no meaningful say on the merits of the Government's decision or how it was reached, so will the Minister tell us why Parliament was sidelined? Will he also tell us why he has disregarded the Government's own code of practice on parliamentary scrutiny of opt-in decisions, which makes it clear that opt-in debates should take place within the three-month opt-in period, to ensure that the Government are accountable to the House before, not after, they have reached a decision? Are the commitments made by the previous coalition Government to significantly strengthen Parliament's oversight of EU justice and home affairs matters and make the Government more accountable for the decisions they make on the EU now a dead letter?

As the European Scrutiny Committee's reports have made clear, the Commission's asylum reform proposals raise important questions about member states' collective commitment to implement humane, fair and effective asylum policies. Since the Government motion appears to leave open the possibility of a post-adoption opt-in, will the Minister tell us how active a role the Government intend to play in the negotiations? What outcome does he seek to achieve? Can he envisage circumstances in which the Government might wish to seek to opt into one or more of the proposals following their adoption? He shakes his head. No doubt he will expand on that in his comments shortly.

Would it be feasible for the UK to opt into some of the proposals but not others, given the interdependence of the Commission's asylum reform package? Finally, if the Government do not seek to opt in post-adoption, as the Minister appeared to indicate, what assessment has he made of the impact that different asylum rules in the EU and the UK may have on the UK's asylum system once the UK has left the EU?

I conclude with the observation that the Government's handling of today's opt-in debate, including last week's unfortunate error on the Floor of the House, reinforces the European Scrutiny Committee's concern that the Government have become complacent about fulfilling their scrutiny obligations at a time when effective scrutiny and accountability to Parliament on EU matters are more important than ever. The Minister has been slow in responding to the reports that we have published, and reluctant to engage constructively with external stakeholders. We have sought but not yet received an assurance that his Department is fully committed to fulfilling its scrutiny obligations and is adequately resourced to do so. I hope that the Minister will give us that assurance today.

The Chair: Before I call the Minister to make an opening statement, I remind the Committee that interventions are not allowed during the statement. I call Mr Goodwill.

4.40 pm

The Minister for Immigration (Mr Robert Goodwill): I thank the hon. Member for Stretford and Urmston for setting out her Committee's position very clearly. That was very helpful in setting the context.

In relation to the point of order raised by my hon. Friend the Member for North East Somerset, I understand that the premature approval of the four measures last week was due to a mistake, possibly made in this building, not in the Home Office, but I take full responsibility for the fact that we had to exercise our opt-out before we had this debate. I make it clear, as Mr Evans did, that I will be listening carefully to the arguments that are made, although on this issue I would have to hear arguments stronger than any other argument that I have heard in this place to change my view on these four proposals. However, as the Committee will know, we did opt into some of the proposals in this field—in particular, the Eurodac regulation, which is helpful in terms of sharing fingerprint and biometric data.

The Government are not deploying delaying tactics on these measures, but I note the Committee's concerns regarding the timing of the debate. Unfortunately, there is sometimes pressure to debate Government business, which means that opt-in debates cannot be scheduled as quickly as we would like.

I thank the European Scrutiny Committee for recommending these important measures for debate. The four measures under consideration—the asylum procedures and qualification regulations, which are two separate regulations, the reform of the reception conditions directive, and the Union resettlement framework regulation—represent the second wave of a package of proposals to reform the common European asylum system, or CEAS. The European Commission put forward a wide-ranging package of reforms to CEAS in a communication published in April. The House has already debated the Dublin IV, Eurodac and EU agency for asylum measures in the first wave of the Commission's proposed reforms.

The Government have already decided not to opt into the four measures being considered today. I apologise again to the Committee for the fact that it has not had a chance to debate the proposal before the opt-in deadline, although I suspect that few would argue with the wisdom of not doing so, particularly in the light of Brexit.

The new proposals on qualification, asylum procedures and reception conditions reform the package of asylum directives that was adopted between 2011 and 2013 as part of the second phase of CEAS. In relation to the asylum measures, as hon. Members are probably aware, the UK did not participate in the directives of 2011 and 2013 owing to concerns about the limits that that would place on our national system. We remain bound by the first phase of CEAS directives from 2003 and 2005.

The qualification and asylum procedures proposals reflect a shift by the Commission from setting standards for asylum procedure and criteria in a directive, which permits member states some flexibility in transposing the provisions into national law, to a regulation, which limits member states' ability to set their own national

[Mr Robert Goodwill]

rules in accordance with national interests. That would be a substantial change for the UK, given that we did not participate in the directives of 2011 and 2013.

However, the migration crisis has highlighted the challenges presented by large-scale secondary movements, and I welcome the proposals' overarching aim of discouraging abuse and secondary movements. The Government are and remain committed to running a high-quality asylum service. However, elements of the proposals under consideration differ from UK practice—for example, in relation to both the duration of leave to be granted to beneficiaries of international protection, and access to the labour market. I would not wish to limit the flexibility of the United Kingdom system in those areas by agreeing to the provisions set out by the European Union. Furthermore, should we wish to align ourselves with the EU on those matters in future, we could do so through domestic legislation.

It is clearly necessary to develop a European asylum and migration framework that controls illegal migration, deters abuse and prevents unwarranted secondary movement. However, that does not mean that the Government agree with all the Commission's suggested policy options. Although we respect the fact that our European partners may wish to pursue greater commonality in their asylum systems, we remain of the view that the functioning of national asylum systems is a sovereign issue. I see no reason to change our approach from that taken for the second phase of these directives, and we have therefore decided not to opt in.

On the proposed Union resettlement framework regulation, the Government have been clear that we consider resettlement schemes to be best operated at the national level. We are of the view that the stated reasons for action at an EU level, such as alleviating pressures on countries hosting a disproportionate number of refugees, gaining influence in policy dialogues with third countries or improving the resettlement process, can equally be achieved through close co-operation between international partners operating national resettlement schemes. National schemes also allow resettlement efforts to be aligned with the domestic and international priorities of individual member states. For those reasons, the Government have decided not to opt in to the measures.

The Chair: We now have until 5.30 pm for questions to the Minister. I remind Members that questions should be brief. Subject to my discretion, it is open to a Member to ask related supplementary questions.

Ms Abbott: I noted the Minister's saying that we are debating these measures after they have gone through the House because of a mistake "in this building". Does he mean a mistake by the Clerks or the usual channels?

Mr Goodwill: The usual channels are particularly in the frame for this one—although it was not spotted by those who otherwise spot these things.

Mr Rees-Mogg: It is a great pleasure to serve under your chairmanship, Mr Evans, even if that pleasure is slightly tempered by the fact that the debate may well serve no purpose. I ask my hon. Friend the Minister one

question: can one draw any understanding of the Government's negotiating position on Brexit from decisions on opt-ins—or not opting in? As those negotiations proceed, is this something that we will see guiding our policy in the areas in which we may seek further commonality with the European Union?

Mr Goodwill: I thank my hon. Friend for his question and for his work as a member of the European Scrutiny Committee. Although I am reluctant to disagree with him on the Committee's not serving a purpose, I have to say that what is said here could cause the Government to opt into the measure at a later date. However, I rather suspect that the debate will stiffen my view that we have made the right decision.

My hon. Friend tempts me into the area of Brexit negotiations. I suspect you might pull me up were I persuaded to go into that area, Mr Evans. All these matters are under consideration. As I said in my opening remarks, we feel that they are best determined at a national level, which is even more important as we approach the era in which we are no longer members of the European Union.

Gavin Newlands (Paisley and Renfrewshire North) (SNP): It is a pleasure to serve under your chairmanship, Mr Evans. Going back to the points of order raised at the beginning of proceedings, will the Minister explain why we are debating the measures not only after the proverbial horse has bolted, but after the deadline for opting in? I appreciate that the former may be owing to human error, but the latter treats Parliament with a fair dose of contempt.

Mr Goodwill: I have already tendered my apology for the matter having been decided before it could be debated. Indeed, I mentioned the logjam of measures that are coming forward and the pressure on parliamentary business in some cases. I repeat my unreserved apology for this not having been brought forward sooner, but no colleague has raised with me a concern that we have made the wrong decision. I hope that the debate and the questions will give Committee members the opportunity to explore other aspects of the four measures before us.

Nigel Huddleston (Mid Worcestershire) (Con): It is a pleasure to serve under your chairmanship, Mr Evans—for the first time, I think. Given that some funding has already been allocated, will there be a financial loss to the UK from not opting into the resettlement proposals?

Mr Goodwill: We do not expect any funding that has already been agreed to be affected by our not opting into the regulation. The UK has already been allocated funding from the asylum, migration and integration fund through to the financial year 2019. In any event, the UK may have left the European Union before the regulation comes into effect. No EU funding has been allocated to the Syrian vulnerable person resettlement scheme, which is our primary way of delivering our obligations for resettlement, since the scheme's expansion.

Kirsten Oswald (East Renfrewshire) (SNP): It is a pleasure to serve under your chairmanship, Mr Evans. The Minister has made it clear a couple of times that he

does not think he will change his views, but will listen none the less. He emphasised that his view was that, on these matters, we should be sovereign, and that his Government would not wish to opt in, and he asked for retrospective agreement again. We also have the matter of premature approval and a logjam to deal with. Even though we have not finished this debate, he seems confident that he will not change his views. How can we hold the Government to account if this is how the procedures and systems work?

Mr Goodwill: I repeat my apology, but I would certainly be interested to learn, perhaps from a supplementary question from the Scottish National party, whether it believes that we should have opted into any of the four measures.

We in this House have the power to pass legislation, so even if we do not opt into measures, we can take our own approach to some of them. Indeed, looking at our successful roll-out of the Syrian vulnerable person resettlement scheme and the other schemes in the area, as well as our long-standing gateway and mandate scheme, I believe that we are stepping up to the mark with our responsibilities. EU legislation would not add anything in that regard.

Mr Rees-Mogg: I thank the Minister for his apology. I think he has made the right decision, albeit in the wrong way. I note that the Government are doing considerably better than the last Government, and very considerably better than the coalition Government, in bringing forward debates in European Committees, though I think one debate is still outstanding from a recommendation in January 2013. Although that is not satisfactory, the situation is not as bad as it has been.

Mr Goodwill: My hon. Friend will know that the treaty of Lisbon says a lot about giving national Parliaments more power and more say over these things. It is yet to be made apparent how that will be rolled out across the European Union. In the meantime, this Parliament remains sovereign in the UK, and after Brexit we will have even more sovereignty to exercise on behalf of the people of the United Kingdom.

Mr Jonathan Djanogly (Huntingdon) (Con): Has the Minister considered whether there are any negative implications of not opting in?

Mr Goodwill: Obviously, we continue to observe a watching brief. Should the Government, at any time, decide to opt in, that will be possible, although time is limited, given the Brexit negotiations. I continue to work closely with other member states, particularly those that are under pressure, such as France, Italy and Greece. The application of these four measures will not impact on the priorities of this Government or, indeed, this House. The timetable for final agreement may well be protracted, and we may well have left the European Union before the measures take effect.

Kate Green: Further to that response, are there any aspects of the proposals that the Minister would wish to adopt into UK domestic law, or legislate for in UK domestic law after Brexit?

Mr Goodwill: We already have a number of measures on the statute book that address how we deal with asylum seekers, and how we approach the tremendous need, particularly in the areas around Syria, to bring people here. We are using the Syrian vulnerable peoples scheme, and the other scheme bringing 3,000 children and their families from the wider middle east. I see no reason to opt into these measures. The freedom that not opting in gives us means more options and opportunities to step up to the mark and meet our international obligations.

The Chair: If no more Members wish to ask questions, we will proceed to the debate on the motion.

Motion made, and Question proposed,

That the Committee takes note of European Union Document No. 11316/16 and Addendum, a Proposal for a Regulation of the European Parliament and of the Council on standards for the qualification of third country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection and for the content of the protection granted and amending Council Directive 2003/109/EC of 25 November 2003 concerning the status of third country nationals who are long term residents; further takes note of European Union Document No. 11317/16 and Addenda 1 to 2, a Proposal for a Regulation of the European Parliament and of the Council establishing a common procedure for international protection in the Union and repealing Directive 2013/32/EU; further takes note of European Union Document No. 11313/16, a Proposal for a Regulation of the European Parliament and of the Council on establishing a Union Resettlement Framework amending Regulation (EU) No. 516/2014; further takes note of European Union Document No. 11318/16, a Proposal for a Directive of the European Parliament and of the Council laying down standards for the reception of applicants for international protection (recast); endorses the Government's decision not to opt in to the above proposals under Protocol 21 on the Position of the United Kingdom and Ireland in respect of the Area of Freedom, Security and Justice annexed to the EU Treaties; notes that the Government is able to opt-in post-adoption; and supports the Government's intention to continue to support other Member States on asylum matters.—(*Mr Goodwill.*)

4.55 pm

Ms Abbott: The Minister was at pains to say earlier that the function of a national asylum system is a sovereign matter, but I put it to the Committee that there is inevitably a tension between sovereignty and an international system that is fit for purpose in the light of the challenges that western Europe faces from unprecedented waves of migration, whether from the war zones in the middle east, sub-Saharan Africa or any other part of the world. The Government's decisions on this matter are disappointing, because they seem to be dogmatic rather than meeting the challenge of the moment, but they are not surprising.

Progressive voices across the world have been calling for a more collaborative strategy for handling the refugee crisis. No one who has visited any of the refugee camps and seen people in them from all over the world—I have been to camps in Calais, Lesbos and Lebanon—can fail to appreciate that only international collaboration can meet the challenge; more barbed wire, fences and policemen will just create more chaos, difficulty and instability. The opt-out decisions seek to preserve and heighten a wall between the UK and the European Union, but we will not rise to the challenge of waves of international migration unless we are prepared to co-operate with EU partners. It does not matter whether we are in the EU or

[Ms Abbott]

whether we are in Schengen; when refugees are converging on western Europe from four points of the globe, the notion that an individual country can pull up the drawbridge and deal with the matter as one of sovereignty, as the Minister puts it, is misguided.

The reasoning behind some of the decisions falls heavily on our imminent departure from the European Union, but even when we leave the EU, the British Government must work with our neighbours on a sustainable and co-operative asylum policy. There are a number of policy areas in which, as the Prime Minister herself has set out, we will continue to need sustainable co-operation, but rather than facing up to our responsibility to asylum seekers, we are opting out of playing a meaningful and co-operative part in the solution.

We are facing the biggest refugee crisis since the second world war. I am not necessarily defending the detail of the measures, but I believe that the intention behind them is for us to work with the EU in the spirit of solidarity that started the EU project after the war. This is not a question of our legal status within the EU; it is a question of our being part of the family of European nations, and it is in that spirit that I draw the Committee's attention to what is problematic about the decisions that the Government have taken.

The proposals, although they may not be perfect, would certainly make for a more efficient system and take the burden off Greece, Turkey and Lebanon. Our arm's length refugee policy stresses the way in which money is raised for spending in the region, but we should also look at the refugee crisis in western Europe. How can we expect Lebanon, a country half the size of Wales, to host more refugees than the whole of Europe, and to then do even more? How can we expect Jordan, a nation with one of the world's highest youth unemployment rates, to create jobs for its 1.4 million refugees? How can we expect Turkey to use the \$3 million EU pot effectively to prevent refugees from leaving its camps for Europe?

I raise those points pre-emptively, ahead of the comments the Minister may wish to make about the money we are spending in the region. I am aware of the projects that are being funded in the region—I have seen them at first hand—but in spite of that work, refugees continue to cross the Mediterranean and find their way to Europe, and more are risking their lives to get to the continent every day. How we handle that is a test of our humanity and our principles. Sadly, the Government are content to fall at every hurdle.

As I said, earlier this year I visited the refugee camps in Lesbos. I was struck by the kindness and hospitality of local people there, but it is wrong that Greece, which is already on its knees economically, should be bearing such a disproportionate load. Whether or not we are in the EU, this approach—that we are somehow not part of the European family of nations and can draw up our drawbridge—is wrong. There is also a disproportionate burden on the people of Italy. I repeat: whether or not we are in the EU or part of Schengen, it cannot be right to leave fellow members of the European family of nations to struggle with such a burden. That is not only about doing the right thing; leaving them to struggle will not work when it comes to managing the tides of refugees.

Great Britain has a proud history as a sanctuary for those who have fled persecution. The east end of London has long provided a home for people fleeing persecutions, from the Huguenots to the Jewish people fleeing pogroms in Russia, and from the people who fled Vietnam to those coming in the present day. The decisions being made today do not reflect the best of Britain's history as a place of sanctuary, or its values. The Government claimed to see merit in co-ordinating the efforts of the asylum office, and in the standardisation of residency permits, but we now seem to be opting out of the updates to those measures.

In May, the Commissioner for Migration and Home Affairs said:

“The time has come for a reformed and more equitable system, based on common rules and a fairer sharing of responsibility.”

I cannot believe that many British people would object to common rules and fairness, but that is what the Government are seeking to opt out of. They have previously said that the proposed new agency has more powers over member states; I would argue that those new powers are marginal. On the standardisation of residency permits, the Government cite the cost of designing a form we may never need to use. That is ridiculous. If we leave the EU, as I have every expectation we will, and if we are to continue working in partnership with EU countries on areas of shared concern, we will need standardised systems.

The Government claim they want co-operation, but we seem to be using Brexit to renege on what some may regard as our moral duties. Our moral obligation to refugees, many of whom are coming from parts of the world with which Britain had a historical relationship, will not end when we leave the European Union, and neither will legitimate applications for asylum, which we have a duty to meet under European conventions. People are looking for the UK to demonstrate how we will approach these matters as a state separate from the EU. Will we hold true to the values we claim to represent worldwide? It is a great pity that we even have to ask that question.

It might be argued that this is not a refugee crisis, but a crisis of western Governments failing to recognise their legal and moral responsibilities. Britain should not be content with backing away and rejecting out of hand common-sense measures that would achieve greater co-operation and therefore greater effectiveness in meeting the challenges we see with the waves of refugees crossing continents.

5.4 pm

Gavin Newlands: I will be very brief, for two reasons. The first is that, with my throat, I am not sure I would get through any lengthy remarks. Secondly, it all seems rather pointless, as has been mentioned several times.

The Scottish National party supports the broad thrust of the proposals and the principle of trying to achieve consistency across the EU, but it has some concerns about some of the specific proposals. For example, in chapter 1 the provision that refugee status or humanitarian protection would not be available to people who are in danger because of what they have done since leaving their home country—for example, speaking out against a tyrannical Government, but only after leaving—would seem potentially to weaken rather than strengthen the protections. Also, regular status reviews seem to be

based on a grant of asylum of three years, rather than five. In chapter 2, there are some very strict interim time limits, and the use of accelerated procedures as a matter of compulsion.

However, we feel that engaging with the EU in amending these proposals is the way forward, because we are talking about an international crisis and we need an international response. Overall, we want some improvements in some of the proposals during negotiations, but it would be better to participate than to stand on the side.

We will accept the Minister's apology, but it is quite disgraceful that the Government have yet again provided MPs with a belated and limited opportunity to scrutinise and debate these issues.

5.6 pm

Kirsten Oswald: Like my hon. Friend, I do not plan to say a great deal, but it is worth putting on the record that this is a very important issue. Personally, I am not entirely comfortable hearing the Minister referencing "Brexit" and "logjams" while he explains why we are not looking at this issue closely. As my hon. Friend said, there are a number of important aspects that warranted further debate; I will not labour them, but it is sensible to discuss them rather than to have the situation we are dealing with today, whereby the Government have already brought matters to the Chamber.

The proposals are a good start in terms of our common asylum system. There are details that would have borne further discussion and scrutiny. However, the unprecedented scale of what we are dealing with means that we should do much better and that the UK Government should commit much further; there certainly is not a commitment to an appropriate number of refugees, in our opinion. People expect us to deal with this situation differently; I think that they are very shocked by the crisis that we are dealing with, and people want to help.

I appreciate the Minister's remarks on how we have got here, but as my hon. Friend said, we are talking about an international crisis, we need an international response and it is disappointing that we do not have the opportunity to input to that process.

5.7 pm

Mr Goodwill: I thank hon. Members for their contributions to this debate. Irrespective of the opt-in decision under discussion, we remain committed to addressing the migration crisis and working with the EU and member states to tackle this high-priority issue.

The hon. Member for Hackney North and Stoke Newington, the shadow Home Secretary, talked about "waves" of migration. When discussing these issues, one needs to bear in mind what pull factors can lead those "waves". Indeed, many of the people who find themselves in unseaworthy boats, either in the Aegean sea or in the Mediterranean, are responding to pull factors that can result in the people traffickers being able to carry out their particularly horrible business.

The hon. Lady is absolutely right when she refers to the most vulnerable people. Having visited refugee camps in Jordan, I would say that the most vulnerable people are those in the camps—indeed, the people in the berm on the Syrian border—and not necessarily those people in Greece, Italy and France, which are safe countries.

As a former Member of the European Parliament, I believe that the United Kingdom post-Brexit will still be in the European family; it is just that we will no longer be sleeping in the spare bedroom. Indeed, the UK will be able to take a lead in Europe and will not necessarily be limited by the speed of the slowest, which is all too often the problem in getting agreement at European level.

Kate Green: I am grateful to the Minister for giving way. I am very curious about how he thinks we will be able to lead the way when we are out there on our own. Also, does he agree that the way to have influence with third countries, which would be an important part of the solution to this appalling global crisis, would be to act in concert with our European neighbours?

Mr Goodwill: I would be more inclined to take lessons from our EU friends and colleagues if they all stepped up to the mark, as we have done by spending 0.7% of our income on overseas aid. We are the second biggest donor to the region around Syria—£2.3 billion of aid is going in. That shows that we put our money where our mouth is and do not just talk about making that commitment.

Kate Green: Does the Minister agree that our European neighbours might be more impressed if we took refugees and asylum seekers on the same scale as Germany, which has taken several hundred thousand, or Greece and Italy, which are forced to deal with being the point of arrival for many people, and are unable to cope with that?

Mr Goodwill: We are taking refugees from the region under the two schemes that we have put in place, as well as the long-standing scheme. That does not contribute to the pull factor that results in people traffickers carrying out their business, and indeed, sadly, in fatalities and people meeting a watery grave in the Mediterranean and Aegean seas.

Mr Rees-Mogg: The policy followed by some of our European allies has been absolutely disastrous. The British Government are the one Government who have got it right: they are helping in the region, rather than encouraging people to take extraordinarily dangerous journeys. The Government really deserve to be supported in that.

Mr Goodwill: My hon. Friend, as so often, is absolutely right. Let us not forget that the UK remains one of the largest member state contributors to Greece's efforts to implement the EU-Turkey agreement. We offered 75 personnel initially and a further 40 this month. The UK has deployed a Border Force search-and-rescue cutter to the Aegean and contributed assets to the NATO mission, including the HMS Mersey, an offshore patrol vessel. We contributed £2 million to the assisted voluntary return project through the International Organisation for Migration office in Greece from January 2014 to 2016. The UK has allocated up to £34 million to the humanitarian response in Greece, including £8 million to the United Nations High Commissioner for Refugees, £11.5 million to the Start non-governmental organisations,

[Mr Goodwill]

more than £1 million to the IOM, and more than £1.8 million of essential supplies, including more than 3,100 tents for more than 15,600 people, 60,000 blankets, 8,000 sleeping bags, 8,000 sleeping mats, and other basic items. I do not call that not standing up for people in need. We have contributed vessels and resources to Italy to support efforts in the central Mediterranean, including a chartered Border Force vessel as part of Frontex's Operation Triton, and one officer in the Rome maritime rescue co-ordination centre. The UK has also directly supported the German Government with returns.

The Government recognise that there are problems with elements of CEAS, as has been highlighted by the migration crisis. It is necessary to develop an asylum and migration framework in Europe that works to control illegal migration, deters abuse and prevents secondary movement. However, that does not mean that the Government agree with all the Commission's suggested policy options, or indeed that they are in the UK's national interest.

I recognise that there are positive elements in these proposals, but not opting in means that we can retain the flexibility and sovereignty of the UK system and provides the UK with greater scope to continue tackling abuse of that system. The SNP raised the point that the new asylum procedure regulation would provide applicants with a right to a personal interview during the asylum process. That conflicts with current UK practice, which provides for an interview to be omitted when an application is made merely to frustrate a removal decision.

Nic Dakin (Scunthorpe) (Lab): The Minister said that he thought some elements of the proposals that we have opted out of were positive. Will he indicate which, and how the UK will be able to take those positive opportunities in the future?

Mr Goodwill: I have already said that our failure to opt in does not obviate the possibility that we can participate in some of the schemes. I have already mentioned what we are doing in Italy and Greece. The recent operation following the clearance of the Calais camps shows that we have been able to deliver on that.

Let me give another example of the implications of not opting into the proposal. On the reception conditions directive, the Commission proposes reducing the time limit for access to the labour market from nine to six months. In the UK, asylum seekers are allowed to work only if their claim has been outstanding for more than 12 months through no fault of their own. The Government policy on access to the labour market also provides permission to work only in jobs on the shortage occupation list published by the Home Office.

As I am sure hon. Members are aware, we already participate in various schemes, including the Dublin III process, under which large numbers of people have been brought to the UK. The Government are providing more than £70 million in response to the wider Mediterranean refugee crisis. The UK has also established a £10 million refugee children fund to support the needs of vulnerable refugee and migrant children arriving in Europe.

The UK has also, as I have mentioned, committed to resettling 20,000 Syrians—we are on track to do that by the end of the Parliament—as well as 3,000 vulnerable children and family members by 2020, in addition to our gateway and mandate schemes. We already share best practice with member states through resettlement schemes.

The proposals under consideration today are still being negotiated. Previous iterations have been subject to extensive negotiation. The Government will continue to monitor the negotiations and consider areas of convergence and divergence. It is, however, the Government's position that it is necessary to develop an asylum and migration framework in Europe that works to control illegal migration, deters abuse and prevents secondary movement. This does not mean that the Government agree with all the policy options that the Commission suggests, or that they are right for the UK. The opt-in decisions were made fully in line with the national interest.

Question put and agreed to.

The Chair: Merry Christmas!

5.16 pm

Committee rose.